



Hon. Pedro R. Pierluisi
Statement on Potential Impeachment of
Federal Judge G. Thomas Porteous
Committee on the Judiciary
Impeachment Task Force
Tuesday, November 17, 2009

Thank you, Chairman Schiff. I appreciate all the hard work you, Vice Chairman Goodlatte, and the Task Force staff have done in connection with this important inquiry.

In our justice system, judges are called upon to be neutral and unbiased arbiters of the disputes pending before them. Nearly as important as actual impartiality is the appearance of impartiality. For the public to have faith in the judiciary, it is critical that they never have reasonable grounds to suspect that a legal dispute was decided based on any factor other than the merits of the case.

The troubling allegations being made against Judge Porteous directly implicate these two principles. Testimony that was provided in earlier proceedings suggests that Judge Porteous may have used his office to solicit things of value from attorneys who were appearing before him. Specifically, according to this testimony, both before and during the pendency of a case before him, Judge Porteous received free meals and cash from the attorneys litigating that case.

Equally disturbing is the allegation that Judge Porteous concealed his solicitation and receipt of things of value from the defendant's attorneys in that case, thereby depriving plaintiff's counsel of the information it needed to fully assert the claim that Judge Porteous should recuse himself.

If the facts presented in prior proceedings are correct, it is difficult to see how justice could have been fairly administered in Judge Porteous's courtroom. At minimum, an objective observer would have serious doubts that Judge Porteous could be neutral and unbiased.

I want to emphasize that the testimony I have described was provided in other forums to other investigative bodies. It is not testimony that this Task Force has taken. Today, we have an opportunity to hear directly from those most knowledgeable about Judge Porteous's conduct and—importantly—to allow Judge Porteous's attorney to cross-examine these witnesses. No judge should be removed from office unless the facts presented to Congress demonstrate that he or she is not "fit for office." I come to this hearing with an open mind and a desire to understand more fully the facts surrounding Judge Porteous's alleged conduct. I thank the witnesses for joining us and I look forward to their testimony.